

# SENATE BILL 496

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11r1031  
CF HB 1202

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By: **Senator Brinkley**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Alcoholic Beverages – Brewery License – Samples and Sales**

3 FOR the purpose of altering the number of beer samples that a holder of a brewery  
4 license may provide to a person of legal drinking age who participates in a tour,  
5 promotional event, or other organized activity at the licensed premises; altering  
6 the limit on certain purchases of beer per person; establishing a certain  
7 limitation on selling beer under certain circumstances; altering the sample size  
8 that a holder may provide at a promotional event; altering the limit on the  
9 number of special brewery promotional event permits that a holder may be  
10 issued in a calendar year; and generally relating to brewery licenses.

11 BY repealing and reenacting, with amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 2–206  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2010 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

### 18 **Article 2B – Alcoholic Beverages**

19 2–206.

20 (a) A Class 5 manufacturer’s license:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) Is a brewery license; and

2 (2) Authorizes the holder to:

3 (i) Establish and operate in this State a plant for brewing and  
4 bottling malt beverages at the location described in the license;

5 (ii) Import beer from holders of nonresident dealer's permits;  
6 and

7 (iii) Sell and deliver beer to any wholesale licensee in this State,  
8 or person outside of this State, authorized to acquire it.

9 (b) (1) A licensee may:

10 ~~[(1)]~~ (I) Serve [up to 6 ounces for a sample of beer brewed at the  
11 licensed premises to anyone who has taken a tour of the brewery, if that person is of  
12 legal drinking age; and] **TO A PERSON OF LEGAL DRINKING AGE WHO  
13 PARTICIPATES IN A GUIDED TOUR OF THE FACILITY OR ATTENDS A SCHEDULED  
14 PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED  
15 PREMISES, NOT MORE THAN SIX SAMPLES OF BEER BREWED AT THE LICENSED  
16 PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN ~~6~~ 3 OUNCES  
17 FROM A SINGLE STYLE OF BEER;**

18 ~~[(2)]~~ (II) Sell beer brewed at the brewery for off-premises  
19 consumption to anyone who participates in a guided tour of the brewery **OR ATTENDS  
20 A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE  
21 LICENSED PREMISES**, subject to the following restrictions:

22 ~~(i)~~ 1. The purchase is limited to [144] **288** ounces of beer per  
23 person [each year, based upon records kept by the brewery and forwarded to the Office  
24 of the Comptroller at intervals specified by that Office]; and

25 ~~(ii)~~ 2. The person has attained the legal drinking age.

26 (c) (1) The Office of the Comptroller may issue a special brewery  
27 promotional event permit to a holder of a Class 5 manufacturer's license.

28 (2) The permit authorizes the holder to conduct on the premises of the  
29 brewery a promotional event at which the holder may:

30 (i) Provide samples of not more than [2] ~~6~~ **3** fluid ounces per  
31 brand to consumers; and

1 (ii) Sell beer produced by the holder to persons who participate  
2 in the event.

3 (3) The beer at the event shall be sold by the glass and for  
4 consumption on the premises only.

5 (4) A holder of a Class 5 manufacturer's license may not be issued  
6 more than [four] 12 permits in a calendar year.

7 (5) A single promotional event may not exceed 3 consecutive days.

8 (6) The permit fee is \$25 per event.

9 (7) To obtain a permit, a person, at least 15 days before the event,  
10 shall file with the Office of the Comptroller an application that the Office provides.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 July 1, 2011.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.